

### § 94.3

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separately as contained in a gas sample, expressed as petroleum-fueled engine hydrocarbons. The hydrogen-to-carbon ratio of the equivalent hydrocarbon is 1.85:1.

*Trading* means the exchange of engine emission credits between credit holders.

*Ultimate Purchaser* means, with respect to any new engine or vessel, the first person who in good faith purchases such new engine or vessel for purposes other than resale.

*United States*. United States includes the customs territory of the United States as defined in 19 U.S.C. 1202, and the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

*U.S.-directed production volume* means the number of marine engine units, subject to this part, produced by a manufacturer for which the manufacturer has reasonable assurance that sale was or will be made to ultimate purchasers in the United States.

*Useful life* means the period during which an engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as hours of operation and years. It is the period during which a new engine is required to comply with all applicable emission standards. (Note: § 94.9(a) specifies minimum requirements for useful life values.)

*Vessel* means a marine vessel.

*Voluntary emission recall* means a repair, adjustment, or modification program voluntarily initiated and conducted by a manufacturer to remedy any emission-related defect for which notification of engine or vessel owners has been provided.

#### § 94.3 Abbreviations.

The abbreviations of this section apply to all subparts of this part and have the following meanings:

AECD—Auxiliary emission control device.  
API—American Petroleum Institute.  
ASTM—American Society for Testing and Materials.  
°C—Degrees Celsius.  
CI—Compression ignition.  
CO—Carbon monoxide.  
CO<sub>2</sub>—Carbon dioxide.  
disp.—volumetric displacement of an engine cylinder.  
EGR—Exhaust gas recirculation.

EP—End point.  
EPA—Environmental Protection Agency.  
FEL—Family emission limit.  
ft—foot or feet.  
FTP—Federal Test Procedure.  
g—gram(s).  
g/kW-hr—Grams per kilowatt hour.  
gal—U.S. gallon.  
h—hour(s).  
HC—hydrocarbon.  
Hg—Mercury.  
hp—horsepower.  
ICI—Independent Commercial Importer.  
in—inch(es).  
K—Kelvin.  
kg—kilogram(s).  
km—kilometer(s).  
kPa—kilopascal(s).  
kW—kilowatt.  
L/cyl—liters per cylinder.  
m—meter(s).  
max—maximum.  
mg—milligram(s).  
min—minute.  
ml—milliliter(s).  
mm—millimeter.  
NIST—National Institute for Standards and Testing.  
NMHC—Non-methane hydrocarbons.  
NTIS—National Technical Information Service.  
NO—nitric oxide.  
NO<sub>2</sub>—nitrogen dioxide.  
NO<sub>x</sub>—oxides of nitrogen.  
No.—number.  
O<sub>2</sub>—oxygen.  
pct—percent.  
PM—particulate matter.  
PMM—post-manufacture marinizer.  
ppm—parts per million by volume.  
ppmC—parts per million, carbon.  
rpm—revolutions per minute.  
s—second(s).  
SAE—Society of Automotive Engineers.  
SEA—Selective Enforcement Auditing.  
SI—International system of units (i.e., metric).  
THC—Total hydrocarbon.  
THCE—Total hydrocarbon equivalent.  
U.S.—United States.  
U.S.C.—United States Code.  
vs—versus.  
W—watt(s).  
wt—weight.

#### § 94.4 Treatment of confidential information.

(a) Any manufacturer may assert that some or all of the information submitted pursuant to this part is entitled to confidential treatment as provided by 40 CFR part 2, subpart B.

(b) Any claim of confidentiality must accompany the information at the time it is submitted to EPA.

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(c) To assert that information submitted pursuant to this part is confidential, a person or manufacturer must indicate clearly the items of information claimed confidential by marking, circling, bracketing, stamping, or otherwise specifying the confidential information. Furthermore, EPA requests, but does not require, that the submitter also provide a second copy of its submittal from which all confidential information has been deleted. If a need arises to publicly release nonconfidential information, EPA will assume that the submitter has accurately deleted the confidential information from this second copy.

(d) If a claim is made that some or all of the information submitted pursuant to this part is entitled to confidential treatment, the information covered by that confidentiality claim will be disclosed by EPA only to the extent and by means of the procedures set forth in 40 CFR part 2, subpart B.

(e) Information provided without a claim of confidentiality at the time of submission may be made available to the public by EPA without further notice to the submitter, in accordance with 40 CFR 2.204(c)(2)(i)(A).

### § 94.5 Reference materials.

(a) The documents in paragraph (b) of this section have been incorporated by

reference. The incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be inspected at U.S. EPA, OAR, 401 M Street, SW., Washington, DC 20460, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(b) The following paragraphs and tables set forth the material that has been incorporated by reference in this part:

(1) *ASTM material.* The following table sets forth material from the American Society for Testing and Materials that has been incorporated by reference. The first column lists the number and name of the material. The second column lists the section(s) of the part, other than this section, in which the matter is referenced. The second column is presented for information only and may not be all-inclusive. More recent versions of these standards may be used with advance approval of the Administrator. Copies of these materials may be obtained from American Society for Testing and Materials, 100 Barr Harbor Dr., West Conshohocken, PA 19428. The table follows:

Document number and name	40 CFR part 94 reference
ASTM D 86-97: "Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure".	§ 94.108 to Subpart D.
ASTM D 93-97: "Standard Test Methods for Flash-Point by Pensky-Martens Closed Cup Tester".	§ 94.108 to Subpart D.
ASTM D 129-95: "Standard Test Method for Sulfur in Petroleum Products (General Bomb Method)".	§ 94.108 to Subpart D.
ASTM D 287-92: "Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products" (Hydrometer Method).	§ 94.108 to Subpart D.
ASTM D 445-97: "Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and the Calculation of Dynamic Viscosity)".	§ 94.108 to Subpart D.
ASTM D 613-95: "Standard Test Method for Cetane Number of Diesel Fuel Oil".	§ 94.108 to Subpart D.
ASTM D 1319-98: "Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Fluorescent Indicator Adsorption".	§ 94.108 to Subpart D.
ASTM D 2622-98: "Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-ray Fluorescence Spectrometry".	§ 94.108 to Subpart D.
ASTM D 5186-96: "Standard Test Method for "Determination of the Aromatic Content and Polynuclear Aromatic Content of Diesel Fuels and Aviation Turbine Fuels By Supercritical Fluid Chromatography".	§ 94.108 to Subpart D.
ASTM E 29-93a: "Standard Practice for Using Significant Digits in Test Data to Determine Conformance with Specifications".	§§ 94.9, 94.218, 94.305, 94.508.